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PTO/SB/21 (08-03) Approved for use through 08/30/2003. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 09/420,692 Filing Date TRANSMITTAL October 19, 1999 **FORM** First Named Inventor Besterman et al. Art Unit 1635 (to be used for all correspondence after initial filing) **Examiner Name** Epps. J. Attorney Docket Number MET-015US1 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication to Technology Center (TC) Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to TC Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information After Final **Provisional Application** Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please Terminal Disclaimer **Extension of Time Request** Identify below): Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) * PTO Form 1449 * Copies of 5 references (incl. EP Search Reports) * Postcard Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Wayne A. Keown, Ph.D. (Reg. No. 33,923) Individual name Signature Date CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Date Signature impson

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Besterman et al.

Application No.:

09/420,692

Filed:

October 19, 1999

Entitled:

MODULATION OF GENE EXPRESSION BY COMBINATION

THERAPY

Examiner:

J. Epps

Group Art Unit:

1635

Attorney Docket No.: MET-015US1 (1002/016)

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants and their attorney are aware of the following publications and information listed on the attached PTO Form 1449, and in accordance with 37 C.F.R. §1.97 hereby submit these publications for the Examiner's consideration.

Applicants state under 37 C.F.R. §1.97(e)(1) that the publications were cited in two European Search Reports issued in connection with counterparts EP Application No. 02 014 371.5 and EP Application No. 02 014 370.7 not more than three months prior to the filing of this statement. Also enclosed are copies of the European Search Reports for the Examiner's Review.

Applicants further state that identifiers B1-B3 and C1 were previously cited in a Supplemental Information Disclosure Statement from the International Search Report in connection with counterpart PCT Application No. PCT/US99/24278 on May 19, 2000 and therefore copies of the references are not enclosed with this submission.

U.S.S.N. 09/420,692 Supplemental Information Disclosure Statement Page 2

This submission does not represent that a search has been made and does not constitute an admission that the listed documents are material to patentability or that the listed documents are prior art. If it should be determined that any of the listed documents constitute "prior art" under United States law, Applicants reserve the right to present to the Office relevant facts and law regarding the appropriate status of such documents.

This Supplemental Information Disclosure Statement is being filed within three (3) months of the mailing of the European Search Reports and are therefore submitted as both timely and proper. Therefore, no fees are believed to be due.

Respectfully submitted,

Date:

Wayne A. Keown Reg. No. 33,923

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Subt. Form PTO-1449	Docket Number	Application Number	
SUPPLEMENTAL INFORMATION	MET-015US1	09/420,692	
DISCLOSURE IN AN APPLICATION		Applicant	
(Use several sheets if necessary)	Besterman et al.		
(Ose several sheets if hedessally)	Filing Date	Group Art Unit	
	10/19/99	1635	

U.S. PATENT DOCUMENTS

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EXAMINER INITIAL	IDENTIFIER	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A1						
	A2						
	A3						
	A4						
	A5						
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FOREIGN PATENT DOCUMENTS

EXAMINER	IDENTIFIER	DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
INITIAL		NUMBER					YES	NO
	B1	WO 97 32604 A	09/1997	PCT				
	B2	WO 97 32589 A	09/1997	PCT				
	B3	WO 94 08625 A	04/1994	PCT				
	B4	WO 97 35990 A	10/1997	PCT				
	B5	WO 99 15648 A	04/1999	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER	IDENTIFIER	
INITIAL	IDENTIFIER	
	C1	Ju et al., "Increased Drug Sensitivity of Tumor Cells by manipulation of Cell Cycle Control Genes", Thesis Univ. So. California, pp. 100-130, 1996.
	C2	Amer. Assoc. for Cancer Res.: "Proceedings of the 89 th Annual Meeting of the Am. Assoc. for Cancer Res., New Orleans, 39:416 XP002094749, 1998.
	C3	European Search Report in connection with EP Application No. 02 014 371.5.
	C4	European Search Report in connection with EP Application No. 02 014 370.7.
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EXAMINER:		DATE CONSIDERED:

EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy with next communication to Applicant.